

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
:
SU BE, :
:
Plaintiff, :
:
-v- : 20-CV-8571 (JPC)
:
COMCAST CORPORATION and MAGELLAN :
HEALTH SERVICES, INC., :
:
Defendants. :
:
-----X

ORDER

JOHN P. CRONAN, United States District Judge:

Pursuant to Rule 10(a) of the Federal Rules of Civil Procedure, “[t]he title of the complaint must name all the parties.” Plaintiff is currently using what the Court understands to be an abbreviation of her name as a pseudonym rather than her name. *See* Dkt. 1 ¶ 9. “[W]hen determining whether a plaintiff may be allowed to maintain an action under a pseudonym, the plaintiff’s interest in anonymity must be balanced against both the public interest in disclosure and any prejudice to the defendant.” *Sealed Plaintiff v. Sealed Defendant*, 537 F.3d 185, 189 (2d Cir. 2008). There is a presumption that a plaintiff will proceed under her own name. *United States v. Pilcher*, 950 F.3d 39, 45 (2d Cir. 2020) (per curiam) (“In *Sealed Plaintiff*, we held that pseudonyms are the exception and not the rule, and in order to receive the protections of anonymity, a party must make a case rebutting that presumption.”).

By February 2, 2021, Plaintiff shall file a letter, no more than five pages in length, explaining why the presumption of disclosure is overcome here and addressing *Sealed Plaintiff* and the factors it identified, its progeny, and any other relevant authority. 537 F.3d at 189-90; *see Pilcher*, 950 F.3d at 42. Plaintiff should also explain why reference to Su Be’s minor child, So Be,

by a pseudonym would not be sufficient to protect that child's privacy interests. If one or more Defendants wish to file a letter, no more than five pages in length, responding to Plaintiff's letter, they may do so by February 9, 2021.

SO ORDERED.

Dated: January 25, 2021
New York, New York



JOHN P. CRONAN
United States District Judge